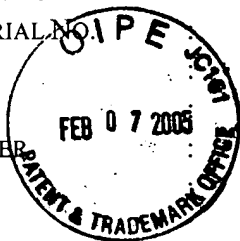


02/07/05

1615  
JFWAttorney Docket No.: 28069-602 NATL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Maggi and Conte CONFIRMATION No.: 3801  
U.S. SERIAL No.: 10/507,344 CUSTOMER No.: 35437  
FILED September 10, 2004 INTL. APPL. No.: PCT/EP03/02536  
TC/A.U. 1615 INTL. FILING DATE: March 12, 2003  
EXAMINER : Not Yet Assigned  
FOR : **Therapeutic System for the Controlled Release of Active Ingredients**



**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

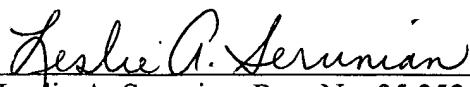
**EXPRESS MAIL TRANSMITTAL**Date of Deposit: **February 7, 2005**

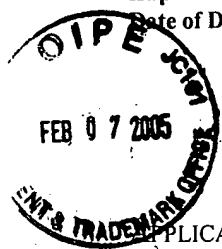
I hereby certify that the document(s) and/or fee(s) listed below are being deposited with the United States Patent and Trademark Office as Express Mail bearing Express Mail Label No. **EV 399524565 US** under 37 C.F.R. §1.10 in an envelope with prepaid postage on the date indicated above and addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Express Mail Transmittal (1 page), in duplicate
2. Information Disclosure Statement (2 pages), in duplicate;
3. Modified Form 1449/PTO (1 page), in duplicate;
4. Cited References A1-A5 and B1-B4; and
5. Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York. The Director is authorized to charge any deficiencies to Deposit Account No. **50-0311**, Reference No. **28069-602 NATL**, Customer No. **35437**.

Dated: February 7, 2005

  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS	:	Maggi and Conte	CONFIRMATION No.:	3801
U.S. SERIAL NO.	:	10/507,344	CUSTOMER NO.:	35437
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Commissioner for Patents  
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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, in the above-identified application, copies of which are submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

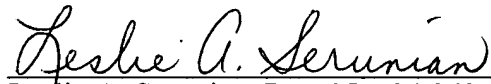
It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 28069-602 NATL.

Respectfully submitted,



Leslie A. Serunian, Reg. No. 35,353  
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PTO/SB (12-97)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	10/507,344
	Filing Date	09/10/04
	First Named Inventor	Maggi
	Group Art Unit	1615
	Examiner Name	Not Yet Assigned
	Attorney Docket Number	28069-602 NATL

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	4,160,020	07/03/79	Ayer et al.			12/27/77
	A2	5,422,123	06/06/95	Conte et al.			09/21/93
	A3	5,487,901	01/30/96	Conte et al.			05/24/94
	A4	5,650,169	07/22/97	Conte et al.			10/24/95
	A5	5,738,874	04/14/98	Conte et al.			09/21/93

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	EP	0 274 734	Pharmaidea	12/23/87		
	B2	EP	0 631 775	Ekita Investments N.V.	05/20/94		
	B3	EP	0 788 790	Jagotec AG	02/04/97		
	B4	WO	94/01239	Merck & Co., Inc.	01/20/94		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_\_\_, filed \_\_\_\_\_, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

NYC 312807v1